

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE APPLICATION OF  
YS GM MARFIN II LLC;  
YS GM MF VII LLC;  
YS GM MF VIII LLC;  
YS GM MF IX LLC;  
YS GM MF X LLC;

FOR AN ORDER TO CONDUCT DISCOVERY  
FOR USE IN FOREIGN PROCEEDINGS

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20-MC-182 (VEC)  
ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS YS GM MARFIN II LLC, YS GM MF VII LLC, YS GM MF VIII LLC, YS GM MF IX LLC, YS GM MF X LLC (“Applicants”) have submitted an *ex parte* application for judicial assistance to obtain discovery for use in a foreign proceeding, pursuant to 28 U.S.C. § 1782, Dkt. 11;

WHEREAS Applicants seek discovery from an entity known as United Oceans LLC and an individual named Paul Capkanis, Dkt. 11 at 1;

WHEREAS Applicants aver that they have obtained evidence that United Oceans LLC was involved in certain wire transfers with Applicants’ adversaries in the foreign proceeding, Dkt. 11-1 at 23;

WHEREAS Applicants wish to obtain additional information from United Oceans LLC and Capkanis about Applicants’ foreign adversaries’ transactions, *id.*;

WHEREAS Applicants have failed to explain the relevance of any information sought to be obtained from Paul Capkanis, whose role is not explained;

WHEREAS Applicants, unlike in their other applications to this Court, have failed to provide specific and non-conclusory information sufficient for the Court to conclude that United Oceans LLC and Capkanis may be found in this district, *see* Dkt. 11-1 at 23 (“The Discovery

Targets United Oceans and Capkanis are headquartered and/or regularly transact business in this District.”);

IT IS HEREBY ORDERED THAT Applicants’ Fourth *Ex Parte* Application for Assistance, Dkt. 11, is DENIED without prejudice. Applicants may renew their petition with additional supporting evidence to address the defects identified above.

**SO ORDERED.**

**Date: June 3, 2020**  
**New York, New York**

  
**VALERIE CAPRONI**  
**United States District Judge**